UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/980,636	08/29/2002	John V Briel	36-1642	7111

7590   07/11/2005

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EXAMINER
LANEAU, RONALD

ART UNIT	PAPER NUMBER
3627	

DATE MAILED: 07/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	09/980,636	BRIEL ET AL.
Office Action Summary	Examiner	Art Unit	
	Ronald Laneau	3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 May 2005*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-10,20 and 21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-10,20 and 21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 05/16/05 has been entered.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   Claims 1-4, 6-10 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Koreeda (5,890,137) in view of Chinnappan (UA 2002/0082932 A1).

As per claims 1, 10, 20 and 21, Koreeda discloses, an online shopping system's

configuration, i.e. data management system, which is used in receiving and processing data in

relation to multiple products for multiple stores, and records the product selection, payment, and

delivery processing as it pertains to the ordered product, i.e. in respect of a generated product

description (Abstract, Fig. 1);

the system comprising:

an input for product selection data (Fig. 1 - Shop System/service Center, Fig. 10 -Service

enter - Shop A's Business Terminal, Fig. 14 - Product Data; cols. 5-6, lines 1-19; the product data

initially had to come from the shop system as it is part of their inventory, as would new additions, etc.);

a marketplace product store for storing marketplace product definitions (Fig. 1 – Service Center', cols. 5-6, lines 1-19);

a product selection store for storing data defining a selection of one or more products from the market place product store (Fig. 1 - Product Selection Unit/Accumulation Unit);

an enterprise capability store for storing data defining capability of an enterprise in relation to supply of one or more products (Fig. 1 - on-line shopping system); and

a product fulfillment data store for storing one or more product descriptions (Fig. 1- Delivery Processing Unit).

Koreeda does not disclose an association data store and a product fulfillment data store to store a product description but Chinnappan discloses an association data store storing association data associating each product description with specified data in said enterprise capability store; and a product fulfillment data store controller arranged in operation to store a product description in said product fulfillment data store only when said enterprise capability store includes the specified data associated with said product description by said association data (page 3, [0024].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to store association data associating each product description as taught by Chinnappan into the system of Koreeda because it would provide a pointer identifying a seller database in which product data enabling a product transaction is stored for products that are associated with the product class.

As per claim 2, Koreeda discloses the specified data in the enterprise capability store relates to equipment necessary to support provision of a product identified in the product description (Figs. 1 and 3, including Approval center/payment collection unit, Product Delivery Payment, Settlement Network, Invoicing, Appropriate software transfer to user).

As per claims 3 and 4, Koreeda discloses that the product description includes order time, order expiration, and inventory information, i.e. date information together with availability date data, and the system further comprises means to review the availability date data against the date information, such that a valid product description is dependent upon compatibility between the availability date data and the date information (Figs. 3 and 14, cols. 6, 9-10 - the product download is performed each time the user utilizes the program and the product confirmation unit makes the user decide what products to buy and also is reloaded each time and thus updated information would be based upon availability, and the information is reconfirmed after the user clicks OK; the means is the repetitive download and the reconfirmation.).

Koreeda discloses claim 4 for the same reasons set forth in claim 3.

As per claims 5 and 17-19, Koreeda discloses a means to generate a link between each marketplace product definition stored in the marketplace product store to data stored in the enterprise capability store, said links being determined by a requirement in the respective marketplace product definition for specified data in the enterprise capability store, such that a valid marketplace product definition is dependent on presence of said specified data in the enterprise capability store (Koreeda links each marketplace product definition in the service center with definitions throughout the shopping system, i.e. enterprise capability store, and if each of the data is not present then there is no transaction, i.e. a valid marketplace product

definition depends on presence of specified data in the online shopping system - mean to

generate a link can be a computer network, the Internet, communications links - Figs. 1-3, 9A,

9B, and 10-15; cols 5-1 1).

4.   Claims 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koreeda

(5,890,137) in view of Chinnappan (UA 2002/0082932 A1) and further in view of Blinn, et al.

(5,897,622).

As per claims 6, 8 and 9, Koreeda and Chinnappan disclose as set forth above. However,

neither Koreeda nor Chinnappan discloses a means to update the specified data in the enterprise

capability store and to make consequent changes to links relevant to that data. Blinn discloses

administrative actions accessibly by the system administrator to provide for management of the

merchant system, including actions that enable the merchant to create pages to access the

database to insert, delete and update database information through the use of modify the queries

stored in the database instead of modifying the system modules, thus ensuring consistent changes

throughout the system and negating the need to modify application every time a merchant

modifies the database, i.e. this is a means to specified data in an enterprise capability store and to

make consequent changes to links relevant to that data (col. 3, lines 2-18; cols. 9-10, lines 55-4;

cols. 12-14, lines 57-61). Blinn further discloses that the ability to change the data easily permits

the merchant to effectively promote their products and also to guarantee the shopper consistency

and reliability in the information used to make purchasing decisions (col. 3, lines 19-30).

It would have been obvious to one of ordinary skill in the art at the time the invention

was made to store association data associating each product description as taught by Chinnappan

into the system of Koreeda because it would provide a pointer identifying a seller database in

which product data enabling a product transaction is stored for products that are associated with the product class. And it would have been obvious to one of ordinary skill in the art at the time of the invention to have utilized the query system of Blinn into the combined system of Koreeda and Chinnappan to effectuate updates/deletions in specific data in the database - online store or servicing center, i.e. the enterprise capability store or market product definition, and thus make changes to links relevant to that data for the specific reasons set forth in Blinn, et al.

As per claim 7, Koreeda discloses as set forth above in claim 1. Koreeda further discloses that items may be sold as sets (Fig. 6) and discloses product descriptions (Fig. 14). However, Koreeda does not disclose that data in the enterprise capability store comprises identifiers for instances of apparatus available to support a product identified in a product description. Blinn, et al. discloses the ability to recommend related items to purchasers, i.e. cross selling through utilizing identifiers for instances of apparatus available to support a product identified in a product description (Figs. 13A and 13B; cols. 17-19, lines 18-15). Blinn further discloses that in order to effectively promote their products merchants utilize a wide variety of discounting schemes, including cross-selling and that merchants desire an online system that allows for a significantly wider variety of product discounting and sales schemes.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to store association data associating each product description as taught by Chinnappan into the system of Koreeda because it would provide a pointer identifying a seller database in which product data enabling a product transaction is stored for products that are associated with the product class. And it would have been obvious to one of ordinary skill in the art at the time of the invention to have utilized the ability to recommend related items to purchasers through the

mechanism taught in Blinn into the combined system of Koreeda and Chinnappan for the specific reasons taught in Blinn, et al.

Response to Arguments

5. Applicant's arguments filed 05/16/2005 have been fully considered but they are not persuasive.

Applicant argues that Koreeda fails to disclose "an association data store storing association data associating each product description with specified data in said enterprise capability store, a product fulfillment data store controller arranged in operation to store a product description in said product fulfillment data store only when said enterprise capability store includes the specified data associated with said product description by said association data, and selectively storing a product description in said product fulfillment data store by examining said association data to identify said associated specified data, and storing said product description only on said specified data being found in said enterprise capability store. These limitations are met by the newly found reference in Chinnappan (UA 2002/0082932 A1). Applicant's arguments are deemed unpersuasive; claims 1-4, 6-10 and 20-21 are rejected.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is (571) 272-6784. The examiner can normally be reached on Mon-Fri from 8:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ronald Laneau
Examiner   7/4/05
Art Unit 3627

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